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Subject: Coakley Clips

<http://www.seacoastonline.com/news/20180406/coakley-fox-is-guarding-henhouse>

Coakley: Fox is guarding the henhouse

Posted at 8:13 AM Updated at 8:13 AM

The overdue release of Coakley Landfill Group documents shed more light on the troubling approach to remediating this toxic dump from virtually day one and the city of Portsmouth is right in the middle of it.

A remediation reduced to natural attenuation (allowing toxins to seep into the ground) has done virtually nothing to protect the environment and humans from this Superfund cleanup site. The CLG's successful lobbying of the EPA to drop the pump-and-treat system requirement is one of the many missteps by all parties involved.

Furthermore, the consent decree, which let the federal government off the hook at a cost of \$5.25 million, was woefully short-sighted as it did not account for the likelihood of emerging contaminants of concern. This was proven by the detection of potentially carcinogenic 1,4-dioxane and PFCs in recent years.

The Air Force is today paying for a pump-and-treat system to cleanup PFCs in contaminated groundwater at the former Pease Air Force Base, the same chemicals impacting ground and surface water around Coakley.

There is no other way to describe the handling of the Coakley cleanup than as mismanagement arising from putting the polluters in charge of the cleanup. Think fox in charge of the henhouse.

The CLG almost immediately sought to drop the pump-and-treat system. The CLG fired IT Corp., which it hired to install the cap, then sued the company. Facing a certain loss in court, the CLG settled with IT Corp. at a cost of millions of dollars to fulfill the contract and pay legal fees.

The CLG is essentially the city of Portsmouth with its city attorney as de facto head of the organization created to administer the remediation. Decisions to reduce the cost of the cleanup benefitted the city and its taxpayers at a cost to the environment. Portsmouth is responsible for 53.6 percent of all costs of the remediation and continues to lead the effort

that will stretch into the 2030s, and likely beyond. Now, the city's taxpayers are footing the bill for lobbyists and consultants to continue the failed remediation of Coakley.

The conflict of interest is the city balancing its payment for the cleanup against a true remediation. So far, that balance has tipped too far in favor of saving money over saving the environment and protecting public health.

No matter how much the city attorney, city manager, environmental planner and city councilors try to spin it, the remediation of Coakley is a disaster. This follows the disaster of operations while the dump was open. This, among many other ways, was evidenced in CLG documents that showed the discovery of at least 14 drums of pathological waste (human or animal body parts, organs and tissue) during preparations for capping the dump. The waste was such a threat it had to be removed from the landfill and disposed of off-site, according to CLG documents.

Monitoring wells at the landfill found 1,4-dioxane at levels above the EPA's health advisory level and PFOS levels as high as 1,108 parts per trillion. The health advisory is 70 ppt. Tests in Berry's Brook near the landfill found PFAS nearly three times higher than the health advisory level.

And you think the remediation is working?

The problem is not going away and the responsible parties already face a rather large bill. The CLG cannot escape this bill with delays and lobbyists. The CLG owes the federal government more than \$5 million for not installing the pump-and-treat system at the landfill and it continues to grow by the day.

It is clear the city of Portsmouth must be removed from any management role in the remediation. Ending that conflict of interest appears to be the only way to achieve a true remediation of a highly toxic site leaching dangerous chemicals into ground and surface water.

<http://www.seacoastonline.com/news/20180405/residents-frustrated-by-status-quo-at-coakley-landfill>

*Nice shot of Skip if you go to the link!

Residents frustrated by status quo at Coakley landfill

By Jeff McMenemy
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Posted Apr 5, 2018 at 11:13 PM Updated at 6:50 AM

GREENLAND - More than 100 people turned out Thursday night for a meeting about the toxic Coakley landfill hosted by state and federal regulators.

But they left the meeting at Bethany Church - with its parking lot next to the Superfund cleanup site - without any new plans to either clean up the landfill or provide municipal water to the families living around it.

Several people expressed frustration that neither the Environmental Protection Agency nor the N.H. Department of Environmental Services - which hosted the meeting - had forced the Coakley Landfill Group (CLG) to clean up Berry's Brook, which is adjacent to the landfill.

Monitoring wells at the landfill in North Hampton and Greenland found 1,4-dioxane at levels above the EPA's health advisory level and PFOS levels as high as 1,108 parts per trillion. Both chemicals are suspected carcinogens.

The health advisory is 70 ppt.

Tests in Berry's Brook near the landfill found levels of PFAS chemicals in surface water nearly three times higher than the health advisory level for groundwater.

State Rep. Mike Edgar, D-Hampton, referenced a letter written by Michael Wimsatt, director of the DES Waste Management Division in July 2017 to a group of Seacoast lawmakers.

In the letter, Wimsatt pointed to the contaminated Berry's Brook and said "actions need to be implemented at the site to provide additional removal or containment of the contamination in order to mitigate these surface water quality impacts."

Edgar then asked him if the agency's opinion about how the contamination in the brook should be addressed has changed.

Wimsatt, who attended Thursday's meeting, said the "agency's position is the same."

"We believe that it would be best, it would be most prudent to (implement) some kind of active remedy there to improve the water quality in Berry's Brook," Wimsatt said. "We did ask the CLG if they would consider that shortly after the letter was issued, and they declined to participate in doing anything."

He then added that if the agency was in a position to compel the CLG to clean-up the brook, "we would do that."

But he acknowledged the agency does not have the legal authority to force the CLG to clean up the brook.

The CLG is composed of and funded by municipalities and companies that used the landfill or brought waste there.

The group is responsible for paying to clean up the site. The city of Portsmouth -and by extension Portsmouth taxpayers - bears the biggest share of the remediation costs at 53.6 percent.

Residents living around the landfill are worried that chemicals leaching from the landfill will eventually contaminate their wells and threaten the health of their families.

But so far levels of PFAS chemicals found in residential wells have been below the health advisory.

State Rep. Renny Cushing, D-Hampton, seemed to speak for many Thursday night when to applause he told the regulators that he was “trying to figure out who’s running the show here.”

He explained that Portsmouth City Attorney Robert Sullivan - who also serves as the head of the CLG’s executive committee - testified recently before a legislative commission that “it was the EPA’s idea to tell us we didn’t have to install a pump and treatment system” at the landfill.

Cushing was referring to a change made to the original remedy in 1999, which had required the CLG to install a pump and treat system on the landfill to treat contaminated groundwater.

The Portsmouth Herald reported last week that the CLG began lobbying the

Department of Justice, the EPA and its Congressional delegation to drop that requirement as early as 1995.

The EPA in 1999 - after consulting with N.H. DES - agreed to the change.

Cushing then noted that the EPA does not now believe a pump and treat system is required for Berry’s Brook and asked “was that the position that the Coakley Landfill Group told you you were supposed to take?”

“I don’t see the EPA protecting the public in this. I think the Coakley Landfill Group is running the show,” Cushing said. “It’s time to change that.”

Until Sullivan released some documents last week relating to the CLG, which proved the group had lobbied to drop the system, Sullivan had said he didn’t remember if the group had pushed the EPA for the change.

Sullivan did not attend Thursday’s meeting.

EPA spokesman Jim Murphy replied that EPA “made the decision that the pump and treat was not necessary.”

If they had installed the system back in the 1990s, he said, it would “have no impact on removing the contaminants we’re concerned about now.”

“You can blame it on the EPA (and say) we let them get away with it,” Murphy added. “That’s not how we viewed it.”

EPA and DES officials stressed Thursday night that the deep bedrock study that they have ordered the CLG to conduct will help to determine where the contaminants in water leaving the site could flow to.

Mark S. Gearreald, the town attorney for Hampton, appeared at Thursday's meeting and told regulators that Hampton and North Hampton had hired University of New Hampshire professor Tom Ballestero to study water flow from the landfill.

Ballestero, who he described as a "nationally recognized hydrologist," determined that water migration from the landfill "has pathways where it can travel to the south and to the east."

"We have contamination of PFCs in our wells in Hampton and North Hampton that serve the drinking water supplies, public water supplies of Hampton, North Hampton and two Rye water districts," the attorney said. "We're looking for protection here and it sounds like what we're getting is maybes."

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